UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK		
	X	
UNITED STATES OF AMERICA		
- against -	Cr.	No. 05-192 (JBW)
LOUIS EPPOLITO and STEPHEN CARACAPPA,		
Defendants		
COUNT ONE: RICO CONSPIRACY OF	FFENSE	
The defendants have	been charged w	ith RICO conspiracy.
I have already instructed you	on the law as	it pertains to RICO
conspiracy. Do you find that	the defendants	s agreed to
participate in the conduct of	the affairs of	an enterprise?
Defendant Eppolito	Yes	No
Defendant Caracappa	Ves	No

You are to indicate whether you find "proved" or "not proved" the defendant's <u>agreement</u> to participate in the charged racketeering acts.

Racketeering Act One: (Israel Greenwald)

A.	Kidnaping Conspiracy						
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
В.	Kidnaping (Aiding ar	nd Abetting Kidr	naping)				
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
C.	Murder Conspiracy						
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
D.	Murder (Aiding and A	Abetting)					
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
Ε.	Murder for Hire						
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				

Racketeering Act Two: (James Hydell)

A.	Kidnaping Conspiracy	<u> </u>	
Defendant	Eppolito	Proved	Not Proved
Defendant	Caracappa	Proved	Not Proved
В.	Kidnaping (Aiding an	nd Abetting)	
Defendant	Eppolito	Proved	Not Proved
Defendant	Caracappa	Proved	Not Proved
C.	Murder Conspiracy		
Defendant	Eppolito	Proved	Not Proved
Defendant	Caracappa	Proved	Not Proved
D.	Murder (Aiding and A	Abetting)	
Defendant	Eppolito	Proved	Not Proved
Defendant	Caracanna	Proved	Not Proved

Racketeering Act Three: (Nicholas Guido)							
A. <u>(</u>	Criminal Facilitation	n (Aiding and Al	petting)				
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
В.	Depraved Indifference	<u>ce Murder</u> (Aidir	ng and Abetting)				
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
Racketeering Act Four: (Bribery from 1987-1993)							
Defendant	Eppolito	Proved	Not Proved				
Defendant	Caracappa	Proved	Not Proved				
Racketeering Act Five: (An Individual) A. Murder Conspiracy							
Defendant	Eppolito	Proved	Not Proved				
	B. <u>Murder</u> (Aiding	and abetting)					
Defendant	Eppolito	Proved	Not Proved				

Racketeering Act Six: (John Otto Heidel)

		<u>Tampering with</u> (Aiding and Ab		, Victim o	or Intorr	<u>mant</u>
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	в.	Retaliating A (Aiding and A		tness, Vic	ctim or I	Informant
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	C.	Criminal Faci	litation (A	Aiding and	d Abettir	ng)
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	D.	Depraved Indi	fference Mu	<u>urder</u> (Aio	ding and	Abetting
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
		<u>ct Seven:</u> (Obsout John "Otto		f Justice	regardiı	ng
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	сарра	Proved	Not	Proved	

		<u>ct Eight:</u> ((out Peter Sa	Obstruction avino)	of Justi	ice 1	regardir	ng
Defendant	Eppo	lito	Proved		Not	Proved	
Defendant	Cara	cappa	Proved		Not	Proved	
Racketeer	ing A	ct Nine: (Do	ominic Costa	ı)			
	A.		g Against a d Abetting)	Witness	, Vio	ctim or	Informant
Defendant	Eppo	lito	Proved		Not	Proved	
Defendant	Cara	cappa	Proved		Not	Proved	
	В.	Tampering (Aiding and	<u>vith a Witne</u> d Abetting)	ess, Vict	cim o	or Infor	<u>rmant</u>
Defendant	Eppo	lito	Proved		Not	Proved	
Defendant	Cara	cappa	Proved		Not	Proved	
Racketeer:	ing A	ct Ten: (Ant	chony Dilapi	L)			
	A.	Criminal Fa	aciliation (Aiding a	and A	Abetting	3)
Defendant	Eppo:	lito	Proved		Not	Proved	
Defendant	Cara	cappa	Proved		Not	Proved	
	В.	Depraved In	ndifference	<u>Murder</u> ((Aid:	ing and	Abetting)
Defendant	Eppo	lito	Proved		Not	Proved	
Defendant	Cara	ranna	Droved		Not	Droved	

Racketeering Act Eleven (Obstruction of Justice regarding information about Casso and Amuso's impending arrests)

	Α.	Obstruction of (Aiding and Abe	<u>Justice - Vic 2</u> etting)	Amuso	<u> </u>	
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	В.	Obstruction of (Aiding and Abe		ony (<u>Casso</u>	
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
Racketeer	ing Ad	<u>ct Twelve</u> (Brund	o Facciola)			
	Α.	Criminal Facil:	<u>itation</u> (Aiding	and	Abettir	ıg)
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Carac	cappa	Proved	Not	Proved	
	В.	Depraved Indiff	<u> Eerence Murder</u>	(Aidi	ing and	Abetting)
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Carac	cappa	Proved	Not	Proved	

Racketeering Act Thirteen: (Edward Lino)

	A.	Murder Conspira	ac <u>y</u>			
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	В.	<u>Murder</u> (Aid:	ing and Abetting	g)		
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	C.	Murder for Hire	<u>2</u>			
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
<u>Racketeer:</u>	ing A	ct Fourteen: (He	erman Tabak)			
	A.	Murder Conspira	acy			
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	в.	Tampering with	a Witness, Vic	tim (or Infor	<u>mant</u>
Defendant	Eppo:	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
Racketeer: Monetary :		ct Fifteen: (Con actions)	nspiracy to Eng	age :	in Unlaw	ful
Defendant	naal	lito	Proved	Not.	Proved	

<u>Racketeer:</u>	ing A	<u>ct Sixteen:</u> (M	oney Launder:	ing)		
Defendant	Eppo	lito	Proved	Not	Proved	
Racketeer:	ing A	ct Seventeen:	(Narcotics Co	onspiracy	// Distribution	1)
	A.	Narcotics Con	spiracy			
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	cappa	Proved	Not	Proved	
	В.	Narcotics Dis	tribution (A	iding and	l Abetting)	
Defendant	Eppo	lito	Proved	Not	Proved	
Defendant	Cara	сарра	Proved	Not	Proved	

	Α.	Do you	find th	at the	cons	pirac	cy end	ded u	pon th	ıe
Stephen	Caraca	ppa's re	etiremen	ıt from	the	New Y	ork (City	Police	÷
Departme	ent?									
		Yes		No						
	В.	Do you	find th	at the	cons	pirac	cy end	ded p	rior t	0
March 8	, 2000?									
		Yes		No						
	If y	ou have	answere	ed "Yes	" to	eithe	er (A) or	(B) ak	ove,
you must	t find	the defe	endants	NOT GU	ILTY	of CO	OUNT (ONE.		
Otherwis	se, hav	ing con	sidered	all th	e evi	dence	e pres	sente	d at t	rial
please	indicat	e wheth	er you f	ind th	e eac	h def	endar	nt "g	uilty"	or
"not gu	ilty" o	f this	charge:							
	LOUI	S EPPOL	ITO:	Guilt	У	_	Not (Guilt	У	_
	STEV	EN CARA	CAPPA:	Guilt	У	_	Not (Guilt	У	_

COUNT TWO: (Money Laundering)

Having considered the count charged, please indicate
whether you find the defendant Eppolito "guilty" or "not guilty"
of this charge:
Guilty Not Guilty
COUNT THREE: (Narcotics Conspiracy)
Having considered the count charged, please indicate
whether you find the defendants "guilty" or "not guilty" of this
charge:
Defendant Eppolito: Guilty Not Guilty
Defendant Caracappa: Guilty Not Guilty
If you found either defendant guilty of Count Three,
please answer the following questions:
(A) Did the conspiracy charged in Count Three involve
methamphetamine?
yes no
(B) If "yes," did the conspiracy charged in Count Three
involve more than five grams of methamphetamine?
yes no

Having considered the count charged, please indicate

COUNT FOUR: (Narcotics Distribution) (Aiding and Abetting)

whether you	find the defendant	ts "guilty" or	"not guilty" of this
charge:			
Defenda	nt Eppolito:	Guilty	Not Guilty
Defenda	nt Caracappa:	Guilty	Not Guilty
If	you found either	defendant guil	ty of Count Four,
please answe	r the following qu	uestions:	
(A) Di	d offense charged	in Count Four	involve
methamphetam	ine?		
ye	S	no	
(B) If	"yes," did the o	ffense charged	in Count Four involve
more than fi	ve grams of methar	mphetamine?	
ye	S	no	
		Jury Fore	person